IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE FIFTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE D.S.R.VARMA

WRIT PETITION NO : 26411 of 1995

Between:

M/s Goods Transporters Welfare Assosiation (Regd)

rep. By its Secretary K.Sreenivasulu

S/O K.Ramachandraiah
R/o 15-1-196/1, Feelkhana,
Hyderabad.

..... PETITIONER

AND

1 The Municipal Corporation of Hyderabad rep. By

Commissioner as Special officer,
Municipal Complex, Tank Bund
Hyderabad.
2 The Asst. Commissioner, Municipal Corporation Hyderabad,
Circle no.2 Hyderabad.
3 The Asst. Town Planner,
Circle no.2 Municipal Corporation, Hyderabad.
Hyderabad.
4 The Govt. of A.P rep. By Secretary for Municipal Corporation

Dept.,
Secretariat, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more in the nature of writ of mandamus, directing the respondents to act according to law and declare the proposed action of the

respondents to errect barricades on the roads of feelkhana and begum bazar leading to transport companies in feelkhana from Goshamahal grave yard to Osman Gunj and BegumBazar as illegal and arbitrary.

Counsel for the Petitioner: MR.B.MADHAVA REDDY

Counsel for the Respondent Nos.1,2 and 4: GP FOR MUNCIPAL ADMN. & URBAN DEV.

Counsel for the respondent No.3: Mr.GANTA RAMA RAO, SC FOR MCH.

The Court made the following :

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O R D E R

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Heard.

2. This writ petition is filed to declare the proposed action of the respondents to erect barricades on the roads of Feelkhana and Begum Bazar road leading to transport companies in Feelkhana from Goshamahal grave yard to Osman Gunj, as arbitrary and illegal.

3. It appears that earlier the Commissioner of Police, Hyderabad issued a notification preventing the entry of heavy vehicles between certain timings in a day. It also appears that upon the intervention of this court, those timings have been relaxed. However, the respondents have taken a decision to erect barricades, totally preventing the vehicles from moving in the said area, which is predominantly known for business activity. However, by way of interim orders in this writ petition in

W.P.M.P.No.32557/1995, this court directed the respondents not to erect any barricades on the roads in Feelkhana and Begum Bazar area leading to Transport companies, pending the writ petition.

4. No counter is filed.

5. Since the above interim orders are in force since 01.12.1995, I do not feel it expedient to interfere with the same at this stage. However, the respondents are at liberty to reassess the present situation and take any appropriate decision in accordance with law with pragmatic approach.

6. With the above direction, the writ petition is disposed of. No costs.

05.08.2004

AVS/vs

To

1 The Commissioner as Special Officer, Municipal Corporation of Hyderabad, Municipal Complex, Tank Bund
Hyderabad.
2 The Asst. Commissioner, Municipal Corporation Hyderabad.
Circle no.2 Hyderabad.
3 The Asst. Town Planner,
Circle no.2 Municipal Corporation Hyderabad,
Hyderabad.
4 The Secretary for Municipal Corporation Department, Govt. of A.P., Secretariat, Hyderabad.

5 Two CCs to the G.P for Municipal Administration and Urban Development, High

Court Buildings, Hyderabad.(0.U.T).

6. Two CD copies.

THE HON'BLE MR JUSTICE D.S.R.VARMA

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WRIT PETITION NO. 26411 OF 1995

Dated: 05-08-2004